

Docket No. 4859-0029-0

#15

Appeal

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Koichi SUGITA et al.

GAU: 1638

SERIAL NO: 09/477.730

EXAMINER: C. Collins

FILED: January 5, 2000

NOVEL VECTOR FOR INTRODUCING A GENE INTO A PLANT USING A SELECTABLE MARKER

NOTICE OF APPEAL

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

RECEIVED

Applicants hereby appeal to the Board of Appeals from the decision dated November 4, 2002

FEB 05 2003

The items checked below are appropriate:

- A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for months.
- A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
- A Petition for Extension of Time for filing the Notice of Appeal is attached.

TECH CENTER 1600/2900

Fee: \$320.00

- Applicant claims small entity status. See 37 CFR 1.27.
- Is Enclosed
- Charge to Deposit Account No. 15-0030 (an additional copy of this notice is enclosed herewith).
- Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.
- If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
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ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

RE: Application Serial No.: 09/477,730

Applicants: Koichi SUGITA et al.

Filing Date: January 5, 2000

For: NOVEL VECTOR FOR INTRODUCING A GENE
INTO A PLANT USING A SELECTABLE MARKER

Group Art Unit: 1638

Examiner: C. Collins

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SIR:

Attached hereto for filing are the following papers:

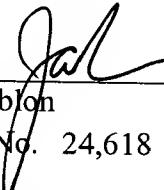
NOTICE OF APPEAL

APPEAL BRIEF W/APPENDIX (IN TRIPPLICATE)

Our check in the amount of **\$640.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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